



Montana Department of Transportation

**DESIGN-BUILD
REQUEST FOR PROPOSAL**

**I-90 Rockfall Mitigation – West of Drexel
Mineral County**



**Project Number: IM 90-1(201)24
Control Number: 5832003**

May 31, 2013

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LIST OF ATTACHMENTS

- A. Bid Price Proposal Requirements Form
- B. Schedule of Values
- C. Proposal Bond Form
- D. Project Bond Form
- E. Invoice for Payment of Agreed Stipend
- F. Draft Design-Build Contract
- G. DBE Schedule of Participation
- H. Wage and Hour Information – Highway Contractors
- I. Form FHWA 1273 – Federal Aid Construction Contracts
- J. Component Plans Tracking Sheet
- K. Project Split Report
- L. Preliminary Site Assessment
- M. RHRS Score Sheets
- N. Site Photos
- O. Environmental Document
- P. As-Built Plans
- Q. MT-601
- R. As-built Plan Procedures
- S. 2005 Detailed Drawings
- T. Materials Manual Index
- U. EEO Affirmative Action
- V. Supplemental Specifications

A CD containing electronic files of this RFP and all Attachments listed herein is included with the RFP transmittal letter.

ABBREVIATIONS

Adjusted Score Design-Build	(ASDB)
Administrative Rules of Montana	(ARM)
American Association of State Highway and Transportation Officials	(AASHTO)
Americans with Disabilities Act	(ADA)
Design and Construction Criteria Package	(DCCP)
Design-Build	(DB)
Disadvantaged Business Enterprise	(DBE)
District Construction Engineer	(DCE)
Document Management System	(DMS)
Engineering Project Manager	(EPM)
Engineer of Record	(EOR)
Environmental Protection Agency	(EPA)
Equivalent Single Axle Load	(ESAL)
Federal Highway Administration	(FHWA)
Independent Quality Assurance	(IA)
Local Area Network	(LAN)
Manual on Uniform Traffic Control Devices	(MUTCD)
Memorandum of Agreement	(MOA)
Montana Environmental Policy Act	(MEPA)
Montana Code Annotated	(MCA)
Montana Department of Environmental Quality	(DEQ)
Montana Department of Transportation	(MDT)
Municipal Separate Storm Sewer System	(MS4)
National Environmental Policy Act	(NEPA)
National Highway System	(NHS)
Preliminary Engineering	(PE)
Quality Assurance	(QA)
Quality Control	(QC)
Quality Management Plan	(QMP)
Request for Proposal	(RFP)
Request for Qualifications	(RFQ)
Right of Way	(ROW)
Rockfall Hazard Rating System	(RHRS)
Statement of Qualifications	(SOQ)
Technical Review Committee	(TRC)

I. INTRODUCTION

The Montana Department of Transportation (MDT) has issued this Request for Proposal (RFP) and Design and Construction Criteria Package (DCCP) to solicit competitive proposals (Technical Proposal and Bid Price Proposal) from qualified short-listed Design-Build Firms (Firm) for work activities required to design and construct a rockfall mitigation design build project. This project includes design and construction of some or all of the following: scaling, moderate and high-strength draped rockfall protection, retain in-place measures such as a nailed Tecco system, excavation for slope reshaping, rockfall fencing, rock bolting, small amounts of trim blasting, and/or other innovative techniques the Firm proposes to mitigate hazards on two dangerous rock slopes adjacent to Interstate 90 from approximately mile post 24.0 to 24.8 in Mineral County.

The following are anticipated scope of work items related to this design-build project.

Rockfall Mitigation

- Provide design and construction of rockfall mitigation techniques to mitigate rockfall hazards at the following approximate locations:
 - RP 24.04-24.19 (RHRS Section # 1172)
 - RP 24.59-24.72 (RHRS Section # 1175)
- All rockfall mitigation work must be performed by a Prequalified Rockslope Stabilization Contractor.
- All blasting work must be performed by a Prequalified Blasting Contractor. A Blasting Consultant as required by Supplemental Specification 204.03.1.A is not required for this contract. The Prequalified Blasting Contractor will assume responsibility for all requirements of 204.03.1.A.
- The following is a link to MDT's Prequalified Contractor's page:
<http://www.mdt.mt.gov/business/contracting/prequalified.shtml>
- Dispose of all material outside the Right Of Way (ROW).
- Replace, repair or remove the existing rockfall barrier based on the Firm's design.
- Repair the damaged guardrail on the median side of the west bound passing lane at approximate RP 24.1.
- Dismantle and transport the on-site OXO 75 foot-ton mobile rock barrier to the MDT Lincoln Road Maintenance Pit in Helena, MT at the intersection of Montana Ave. and Lincoln Road after construction.

Utilities

- Complete any Subsurface Utility Engineering necessary for design and construction of the project.
- Coordinate the relocation or adjustment of all utilities impacted by the project design.

Traffic Control and Sequence of Construction

- Provide a Traffic Control Plan and required construction traffic control devices meeting the requirements of the MUTCD and MDT Standard Specifications.
- Coordinate all traffic control with the Retaining Wall – East of Ward Creek project.
- Install and maintain crossover traffic control to move west bound traffic to the east bound lanes at RP 25.35 (just west of Drexel Int.).
- Install and maintain crossover traffic control at RP 21.55 to move west bound traffic back to the west bound lanes.
- Install and maintain two-way traffic control in east bound lanes from RP 21.5 to 25.3.

- Construct a closed median ramp crossover at RP 22.3 to allow west bound traffic access to the off-ramp at Henderson Interchange.
- Remove the closed median ramp crossover at RP 22.3 after construction. Replace the existing tall barrier rail with new three loop tall barrier rail.
- Install cable rail for temporary closure of the crossovers at RP 21.55 and RP 25.35 after the work is complete and the crossovers are no longer necessary.
- If trim blasting is required on the project, limit road closures specific to the blasting work to a maximum of 15 minute durations.
- During all other work that requires road closures, limit closures to a maximum of 5 minutes.
- Provide a Construction Staging Plan.
- Pilot oversized loads through the project Mondays through Thursdays, once east bound and once west bound per day. Provide a staging area for oversized loads. Coordinate oversized loads with the Retaining Wall and Alberton E & W projects.

Environmental Considerations

- Prepare a draft MEPA/NEPA Document and supporting reports (ISA, BRR, cultural resources report, etc. as needed) for review and approval by MDT and FHWA for this project. The Document must be provided to MDT for review and approval prior to final design.
- An additional cultural resources inventory will not be necessary if no work is conducted outside of MDT's Right of Way.
- Comply with the Standard Special Provision 107-20, "Storm Water Permitting Requirements under the Montana Pollutant Discharge Elimination System (MPDES)."
- MDT's understanding of the conceptual design is that CWA Section 404 and SPA 124 permits will not be required for the project. If additional resources are identified or project scope increases, the DB Firm must provide draft environmental permit applications for all temporary and permanent facilities and construction activities that trigger permit requirements to MDT for review.

General

- Design will be completed in U.S. Customary Units (English).
- Provide a Final Geotechnical Design Report.
- Provide all surveying and engineering design services necessary to prepare the plans and specifications to construct the project.
- Submit final documents and files that include complete CADD design and coordinate geometry files in Microstation and Geopak format, as described in the MDT CADD Standards.
- Provide all construction staking necessary to construct the project.
- Provide all road maintenance, to include any temporary signing and striping necessary.
- Provide erosion control required for the project.
- Complete the project within the existing ROW.
- Provide a Quality Management Plan that includes quality control programs for design and construction activities related to the project.
- MDT will provide construction engineering and inspection services (Quality Assurance and Independent Assurance).

The estimated contract amount is **\$2.5 to \$3.5 Million**.

The Firm will be responsible for all survey required for design, all construction surveying, geotechnical investigation, design, acquisition of all permits and any required modification of permits, maintenance of traffic, demolition, and construction on or before the specified project completion date. The Firm will be

allowed to subcontract, assign or otherwise dispose of any part of the work, but the members of the Firm identified in the Statement of Qualifications and Technical Proposal must perform at least 40% of the total Contract cost.

The Design and Construction Criteria Package (Section VI of this RFP) sets forth requirements regarding survey, design, reports, construction, and maintenance of traffic during construction, requirements relative to project management, scheduling, and coordination with other agencies and entities such as State and local government, utilities, environmental permitting agencies and the public.

MDT will provide contract administration services, construction engineering and inspection services and quality acceptance reviews of all work associated with the development and preparation of the contract plans and construction of the facilities. MDT will provide job specific information and functions as outlined in this RFP.

II. SCHEDULE OF EVENTS

Below is the current schedule of events that will take place in the selection process. MDT reserves the right to make changes or alterations to the schedule as MDT determines is in the best interest of the public. Firms proposing will be notified sufficiently in advance of any changes or alterations in the schedule. Unless otherwise notified in writing by MDT, the dates indicated below for submission of items or for other actions on the part of a Firm proposing will constitute absolute deadlines for those activities and failure to fully comply by the time stated will cause a Firm to be disqualified.

<u>DATE</u>	<u>EVENT</u>
April 25, 2013	RFQ Advertisement Date
May 20, 2013	SOQ Response Due Date
May 29, 2013	Short List Date
May 31, 2013	RFP Issue Date
June 10, 2013	Written Question Deadline for the Pre-Proposal Meeting - 3:00 p.m. local time
June 12, 2013	Pre-Proposal Meeting (10:30am to 12:00 pm in the Missoula Construction Conference Room; 2100 West Broadway, Missoula, MT.)
July 3, 2013	Technical Proposal Due Date by 11:00 a.m. local time
July 18, 2013	Bid Price Proposal Due Date by 11:00 a.m. local time
July 18, 2013	Public Bid Price Proposal Opening at 11:00 a.m. local time in MDT Building, Contract Plans, Room 101, 2701 Prospect Avenue, Helena, MT
July 23, 2013	Final Selection Date
July 23, 2013	Anticipated Award Date
July 30, 2013	Anticipated Notice to Proceed Date

III. THRESHOLD REQUIREMENTS

- A. Only proposals from Firms that are short-listed and requested by MDT to submit proposals will be considered for the project.
- B. If the Firm is a Joint Venture, the individual empowered by a properly executed Declaration of

Joint Venture and Power of Attorney Form will execute the proposal. The proposal will clearly identify who will be responsible for the design, surveying, quality control, and construction portions of the work. Firms are not required to form a Joint Venture.

- C. A proposal guaranty in an amount not less than ten percent (10%) of the total Bid Price Proposal amount will accompany each Firm's Bid Price Proposal. The guaranty must be in the form of a surety bond, payable to MDT. The surety on any proposal bond will be a company recognized to execute bid bonds for contracts of the Federal Government. The guaranty will stand for the Firm's obligation to timely and properly execute the contract and supply all other submittals required by the contract. The amount of the guaranty will be a liquidated sum that will be due in full in the event of default, regardless of the actual damages suffered. The proposal guaranty of all Firms will be released at such time as the successful Firm has complied with the condition stated herein, but not prior to that time.
- D. **Attendance at the pre-proposal meeting is mandatory and any short-listed Firm that fails to attend will be deemed non-responsive and automatically disqualified from further consideration.** All questions by Firms to be discussed at the pre-proposal meeting must be submitted in writing by the deadline stated in the Schedule of Events. The purpose of this meeting is to provide a forum for all concerned parties to discuss the proposed project, answer questions related to the RFP, design and construction criteria package, project schedule, method of compensation, invoicing format and procedure, instructions for submitting proposals and other relevant issues. In the event any discussions or questions at the pre-proposal meeting require, as determined by MDT, official additions, deletions, or clarifications of the RFP or any other document, MDT will issue a written summary of questions and answers or an addendum to this RFP as MDT determines is appropriate. No oral representations or discussions that take place at the pre-proposal meeting will be binding on MDT. MDT Civil Rights Bureau will be invited to attend the pre-proposal meeting to discuss the project in detail and to clarify any concerns. The Firms will be instructed to direct all questions after the meeting to the online Questions and Answers Forum.

During and after the meeting, it is the responsibility of the Design-Build Engineer and Contract Plans Bureau to ensure each Firm develops their Technical Proposal and Bid Price Proposal with the same information. If a Firm receives information from MDT relating to the project prior to the information cutoff date, MDT will ensure all Firms receive the same information in a timely fashion. The project file will clearly document all communications with any Firm regarding the RFP by Contract Plans Bureau.

- E. Proposals found to be non-responsive by the TRC or Selection Committee will not be considered. Proposals may be rejected if found to be irregular or not in conformance with the requirements and instructions contained in this RFP by the TRC or Selection Committee. A proposal may be found to be irregular or non-responsive by reasons, including, but not limited to, failure to utilize or complete prescribed forms, conditional proposals, incomplete proposals, indefinite or ambiguous proposals, and improper or undated signatures. Other conditions that may cause rejection of proposals include evidence of collusion among Firms, obvious lack of experience or expertise to perform the required work, submission of more than one proposal for the same work from an individual, company, joint venture, or corporation under the same or a different name (also included for design-build projects are those proposals wherein the same Design Engineer is identified in more than one proposal), failure to perform or meet financial obligations on previous contracts, employment of unauthorized aliens in violation of Section 274A (e) of the Immigration

and Nationalization Act, or in the event an individual, company, partnership, or corporation is on the United States Comptroller General's List of Ineligible Design-Build Firms for Federally Financed or Assisted Projects. Proposals will also be rejected if not delivered or received on or before the date and time specified as the due date for submission.

- F. Non-Collusion – Firm acknowledges it has not by or through any of its officers, partners, owners, or any other person associated with the Firm, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive proposals in connection with this project, and is not financially interested in or otherwise affiliated in a business way with any other proposing Firm on this project.
- G. Equal Opportunity Clause Certification – Firm acknowledges failure to file timely, complete and accurate reports with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance (OFCC) or the Equal Employment Opportunity Commission is grounds for the imposition of sanctions as authorized by 41 CFR 60-1.7.
- H. MDT may waive minor informalities or irregularities in proposals received where such is merely a matter of form and not substance, and the correction or waiver of which is not prejudicial to other Firms. Minor irregularities are defined as those that will not have an adverse effect on MDT's interest and will not affect the price of the proposals by giving a Firm an advantage or benefit not enjoyed by other Firms.
 - 1. Any design submittals that are part of a proposal will be deemed preliminary only.
 - 2. Preliminary design submittals may vary from the requirements of the DCCP. MDT, at its discretion, may elect to consider those variations in scoring the proposal rather than rejecting the entire proposal.
 - 3. In no case will any such elections by MDT be considered a waiving of the RFP and DCCP requirements.
 - 4. The Firm selected for the project will be required to fully comply with the RFP and DCCP for the lump sum bid price submitted, regardless if the proposal may have been based on a variation from the RFP and DCCP.
 - 5. The Firm will identify separately all **innovative aspects** as such in the Technical Proposal and each must be explained in detail. An innovative aspect does not include changes to specifications or established MDT policies and must conform to the RFP and DCCP requirements. Innovation should be limited to the Firm's means and methods, approach to the project, use of new products and new uses for established products.
 - 6. Proposed changes to the RFP, DCCP, specifications or established MDT policies should be identified as **Alternatives or Options** in the Technical Proposal, identified separately and explained in detail.
- I. Firms may modify or withdraw previously submitted proposals at any time prior to the proposal due date. Requests for modification or withdrawal of a submitted proposal will be in writing and will be signed in the same manner as the proposal. Upon receipt and acceptance of such a request, the entire proposal will be returned to the Firm and not considered unless resubmitted by the due

date and time. Firms that withdraw their proposal before the proposal due date will be considered non-responsive and will not be entitled to the stipend payment. Firms may also send a change in a sealed envelope to be opened at the same time as the proposal, provided the change is submitted prior to the proposal due date.

- J. This RFP does not commit MDT to make studies or designs for the preparation of any proposal, nor to procure or contract for any articles or services. Firms will examine the Contract Documents and the site of the proposed work carefully before submitting a proposal for the work contemplated and will investigate the conditions to be encountered, as to the character, quality, and quantities of work to be performed and materials to be furnished and as to the requirements of all Contract Documents. Notification of differing site conditions discovered during the design or construction phase of the project will be provided to MDT's Engineering Project Manager (EPM). The submission of a proposal is prima facie evidence the Firm has made an examination as described in this RFP.
- K. Extra work may be required for this project, although the design-build process is designed to minimize or eliminate extra work. If the Firm believes unanticipated extra work that was not included in the RFP and Technical Proposal is required to complete the project, MDT may authorize the extra work by issuing a Change Order. Payment for extra work will be made in accordance with Section 109.04 of the Standard Specifications, as supplemented. The Firm will not proceed with any extra work without an executed written Change Order. The supplemental agreement process (Change Order) will be the same as outlined in Section 104.02.4 of the Standard Specifications, except individual pay items are not available for the Firm's basis of payment and any costs for additional engineering services must also be included in the supplemental agreement. The Firm will prepare and submit detailed supporting calculations for engineering services and construction work to the MDT EPM with any request for additional compensation or extra contract time. The calculations will contain enough detail to allow MDT to perform a comprehensive evaluation of the validity of the Firm's cost and time estimates.
- L. Since this is a lump sum price contract, Standard Specifications Section 109.11, Fuel Price Adjustment, is not applicable to this project and there will be no fuel price adjustments made by MDT. The Firm will include all fuel costs for the project duration in the total lump sum price submitted in the Bid Price Proposal.
- M. MDT will enter into a Lump Sum Contract with the successful Firm. In accordance with Section V (U) of this RFP, the Firm will provide a Schedule of Values to MDT for approval. The total of the Schedule of Values will be the Lump Sum Contract amount.
- The terms and conditions of the Contract are fixed price and fixed time. The Firm's submitted Bid Price Proposal (time and cost) is to be a lump sum amount for completing the scope of work detailed in the RFP and their Technical Proposal.

IV. DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM

In accordance with 49 Code of Federal Regulations Part 26, the proposed overall DBE goal for MDT is 5.83%. The DBE Goal for this project is 0.0%. MDT encourages the use of DBE-certified companies. The DBE Schedule of Participation that must be completed and submitted with the Bid Price Proposal will be included as an attachment to the RFP.

MDT will not discriminate on the basis of race, color, national origin or sex in the award, performance or administration of any MDT contract or in the administration of its DBE program (49 CFR Part 26). MDT attempts to provide reasonable accommodations for any known disability that may interfere with a person participating in any service, program or activity of the department. Alternate accessible formats of this document will be provided upon request. If reasonable accommodation is needed to participate in MDT bid lettings, call the Civil Rights Bureau at 444-6331 or TTY 406-444-7696 [TTY 1-800-335-7592 (toll free)] or Montana Relay at 711. Accommodation requests must be made at least 48 hours prior to the meeting.

V. PROJECT REQUIREMENTS AND PROVISION FOR WORK

A. Governing Regulations

The services performed by the Firm will be in compliance with all applicable Manuals and Guidelines including MDT, FHWA, AASHTO, ASTM and additional requirements specified in this RFP. Except to the extent inconsistent with the specific provisions in this RFP, the current edition (except as specifically noted), including updates, of the following Manuals and Guidelines will be used in the performance of this work. Current edition is defined as the edition in place at the date of issue of this RFP. It will be the Firm's responsibility to acquire and utilize the necessary manuals and guidelines that apply to the work required to complete the project. The services will include preparation of all documents necessary to complete the project as described in this RFP.

1. MDT Road Design Manual
2. MDT Geotechnical Manual
3. MDT Detailed Drawings
4. MDT Surveying Manual
5. AASHTO Model Drainage Manual as adopted (MDT Hydraulics Manual)
6. MDT CADD Standards
7. MDT Traffic Engineering Manual
8. MDT Right of Way Operations Manual
9. MDT Materials Manual
10. MDT Field Office Manual
11. MDT Construction Manual
12. MDT Design and Construction Memos
13. AASHTO – A Policy on Geometric Design of Highways and Streets (2011 Edition)
14. MUTCD (2009 Edition)
15. Americans with Disabilities Act (PROWAG)
16. MDT Standard Specifications for Road and Bridge Construction and Supplemental Specifications.
17. MDT Asphalt Pavement Design Manual
18. FHWA Checklist and Guidelines for Review of Geotechnical Reports and Preliminary Plans and Specifications
19. FHWA adopted Hydraulic Engineer Publications
20. Montana Statutes
21. MDT Design-Build Guidelines

Use all Standard Special Provisions applicable to this project.

Include all costs of work requested by these provisions in the Bid Price Proposal.

Document Hierarchy

All documents referred to in this RFP are an essential part of the Contract and a requirement occurring in one is binding as though occurring in all. The documents are complementary and describe and provide for a complete Contract. If a discrepancy exists, the governing ranking will be:

1. Bid Price Proposal
2. Request for Proposals
3. Technical Proposal
4. Standard Specification 105.04 excluding the Table of Contractor Submittals.

B. Rockfall Mitigation Plans

All rockfall mitigation design plans are to be prepared in U.S. Customary Units (English) in accordance with the latest standards adopted by AASHTO and MDT's current Standard Specifications, Road Design Manual, and Geotechnical Manual and will be accurate, legible, complete in design, drawn to the appropriate scale indicated in MDT's manuals and furnished in reproducible form.

C. Geotechnical Services

The Firm will be responsible for identifying and performing all geotechnical investigations, analysis, and design dictated by the project needs in accordance with applicable AASHTO and FHWA requirements.

All geotechnical information included as attachments to this RFP are for informational purposes only. The Firm is responsible for performing all borings and geotechnical analyses necessary to perform the project design.

D. Right of Way (ROW)

The Firm must complete the project within the existing ROW. The Firm is responsible to verify the existing ROW boundaries. The Firm is responsible for acquisition and cost of temporary easements or leases it may require for construction equipment, materials, and operations on property that will not be incorporated into construction of the project. A copy of the As-Built Plans will be included with the RFP.

E. Environmental Permits

The permanent project features and temporary construction activities are regulated by environmental rules and regulations that are administered by federal, state and local agencies. Environmental permits may be required from one or more regulatory agencies for most land alterations such as addition of impervious surfaces, construction, alteration or abandonment of storm water management facilities and wetlands or surface water impacts. The time required to obtain these permits can vary with the type of project, its impacts and the requirements of a specific resource agency. The Firm will be responsible for obtaining all permits required for permanent and temporary project facilities.

F. Buy America Requirements

The Firm will be responsible for complying with Standard Specification 106.09 Domestic Materials and Title 23 CFR Section 635.410. The Buy America requirements are required for all steel or iron materials for products permanently incorporated in the work. A minimal quantity of foreign manufactured steel and iron material may be used if the cost of the material, including delivery costs to the project, does not exceed one-tenth of one percent of the total contract amount or \$2,500.00, whichever is greater. The Firm will be responsible for submitting documentation demonstrating compliance with the Buy America requirements prior to incorporating the materials into the project.

G. Verification of Existing Conditions

The Firm will be responsible for verification of existing conditions, including research of all existing MDT records and other information.

By execution of the contract, the Firm specifically acknowledges and agrees that the Firm is contracting and being compensated for performing adequate investigations of existing site conditions sufficient to support the design developed by the Firm. Any preliminary information and preliminary design data provided by MDT is provided without warranty of accuracy or adequacy for final design purposes. No additional compensation will be paid in the event of any inaccuracies or inadequacies in the preliminary information or preliminary design data provided by MDT.

H. Submittals

PLANS:

Plans will meet the minimum contents of a particular phase submittal prior to submission for review. The Firm will provide copies of the required documents as listed below for each review. Provide electronic copies of all submittals.

90% Component Plans

15 sets of 11" X 17" Rockfall Mitigation Plans: (*District EPM = 4; Consultant Design Engineer = 6; EOR = 1; Contractor = 4*)

15 sets of 11" X 17" of each component set of plans: (*District EPM = 4; Consultant Design Engineer = 6; EOR = 1; Contractor = 4*) (*Note: 90% Component Plans are not required for Traffic Control Plans or Crossover Design Plans.*)

12 copies of Final Geotechnical and Materials Report: (*District EPM = 4; Consultant Design Engineer = 6; EOR = 1; Contractor = 1*)

12 sets of Calculations and Documentation: (*District EPM = 4; Consultant Design Engineer = 6; EOR = 1; Contractor = 1*)

15 copies of Technical Special Provisions: (*District EPM = 4; Consultant Design Engineer = 6; EOR = 1; Contractor = 4*)

100% Component Plans

1 set of 11" X 17" signed, sealed and dated by the EOR: (*District EPM*)

15 sets of 11 "X 17" copies of the signed and sealed of all final component plans: (*District EPM = 4; Consultant Design Engineer = 6; EOR = 1; Contractor =4*)

1 original list of final quantities: (*District EPM*)

15 copies of final quantities list (*District EPM = 4; Consultant Design Engineer = 6; EOR = 1; Contractor =4*)

12 sets of final calculations and documentation signed, sealed and dated by the EOR (*District EPM = 4; Consultant Design Engineer = 6; EOR = 1; Contractor = 1*)

15 copies signed, sealed and dated by the EOR of the Specifications Package (*District EPM = 4; Consultant Design Engineer = 6; EOR = 1; Contractor =4*)

I. As-Built Plans

The Firm will submit as-built plans with red lined corrections of all field changes to the final plans to the MDT EPM. An example of MDT's As-Built Field Correction Procedures is included as an attachment to this RFP.

The Firm's Engineer (EOR) in responsible charge of the project's design will professionally endorse (sign, seal and certify) the record drawings, the special provisions and all reference and support documents. As-built plans must be submitted prior to final acceptance of the project.

The Firm will furnish MDT, upon project completion, the following:

- 5 sets of 11" X 17" copies of the signed and sealed as-built plans
- 2 copies of the As-Built Materials List
- 1 set of final CADD files on CD
- 1 copy of all design calculations and construction survey information on CD

J. Contract Duration

The Firm will establish the Contract Time for the project in the Proposals. **The Contract Time may not exceed 90 Calendar Days.** A schedule supporting the Firm's proposed Contract Time will be submitted with the Technical Proposal. The proposed contract duration submitted in the Technical Proposal will be the same as submitted in the Bid Price Proposal.

No work is allowed on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, or Christmas Day.

If the Firm fails to complete the project within the specified times, MDT will assess liquidated damages in accordance with Subsection 108.08 of the Specifications. Liquidated damages will be assessed for each calendar day elapsing between the completion date stipulated in the Proposals and the Substantial Work Complete Date defined in Subsection 105.15.2.

K. Preliminary and Critical Path Method (CPM) Schedule

The Firm will submit a preliminary project schedule with written narrative as part of the Technical Proposal. The preliminary schedule will be used to determine the major milestones of the design development, plans reviews, construction schedule and establish the project's completion date. The schedule developed in the Technical Proposal is not required to be compatible with Primavera P6. The proposed schedule should allow adequate time for plans preparation and review period front-loaded in the schedule prior to start of construction. Any geotechnical investigations, clearing and grubbing and other work activities not requiring final design or permit approval may begin during this period with written approval from MDT. The Firm's schedule will allow 7 calendar days for MDT review time for each design component submittal. The review time will begin upon receipt of a complete submittal.

The minimum number of activities in the preliminary schedule will be those listed below:

- Summary of the Project Schedule
- Anticipated Award Date
- Notice to Proceed Date
- Design Survey
- Design Submittals for Rockfall Mitigation
- Design Reviews by MDT
- Design Review and Acceptance Milestones
- Materials Quality Tracking
- Geotechnical Investigation and Report
- Traffic Control Plan and Setup Schedule
- Construction Mobilization
- Clearing and Grubbing
- Erosion Control
- Rockfall Mitigation Construction
- Completion of All Work
- Additional Construction Milestones and Phasing as Determined by the Firm

After award of the project, the successful Firm will develop, maintain and provide a detailed time-scaled computer generated progress schedule using the CPM with Primavera P6 software. The initial schedule will be required concurrent with the submission of 100% component plans. The initial schedule major milestones and completion date must match the major milestones and completion date established in the Technical Proposal preliminary schedule. The initial schedule must meet all the requirements of Subsection 108.03.3 except as noted below:

- Provide one electronic copy of the initial schedule when submitting the 100% Component Plans.
- Provide one 24 inch by 36 inch paper copy of the initial schedule with the 100% Component Plans.
- Activity relationships other than Finish to Start are allowed.
- Leads and lags are allowed.
- Allow 7 calendar days for MDT review time for each design component submittal and shop drawing submittal.

L. Key Personnel and Staffing

The Firm's work will be performed and directed by key project personnel identified in the

Statement of Qualifications and Technical Proposal. Any changes in the indicated personnel will be subject to prior review and approval by MDT. The Firm will have available professional and construction staff with the training and experience required to perform the work. Engineers, Architects and Surveyors in responsible charge of various elements of the project must be licensed and comply with all pertinent Montana Statutes and applicable rules of the Montana Board of Professional Engineers and Land Surveyors.

M. Meetings

The Firm should expect periodic meetings with MDT personnel and other agencies as required for resolution of design and/or construction issues. These meetings may include:

- MDT technical issue resolution
- Permit agency coordination
- Local government agency coordination
- Project Schedule and Progress Meetings

During construction, the Firm will meet with the MDT EPM on a weekly basis, at a minimum, and provide a one-week forecast for activities to be performed during the coming week.

N. Quality Management Plan (QMP)

1. Design:

The Firm will be responsible for the professional quality, technical accuracy and coordination of all surveys, designs, drawings, specifications, geotechnical and other services furnished by the Firm under this contract.

The Firm will provide a Design Quality Management Plan (DQMP) that describes the Quality Control (QC) procedures to be utilized to verify, independently check and review all design drawings, specifications and other documentation prepared as a part of the contract. In addition, the DQMP will establish a design Quality Assurance (QA) program to confirm the QC procedures are followed. The Firm will describe how the checking and review processes are to be documented to verify the required procedures were followed. The DQMP may be one utilized by the Firm as part of their normal operation or it may be one specifically developed for this project. **The Firm will submit the final written DQMP within 15 calendar days after the Notice to Proceed.** A marked up set of prints from the QC review will be included with each MDT review submittal. The responsible Professional Engineer or Professional Surveyor that performed the QC review will sign a statement certifying the review was conducted.

The Firm will, without additional compensation, correct all errors or deficiencies in the surveys, designs, drawings, specifications and other services furnished under this contract.

2. Construction:

The Firm will submit the final written Construction Quality Control Plan (CQCP) within 15 calendar days after the Notice to Proceed. The Firm will be responsible for developing and maintaining a CQCP that describes the QC procedures followed to verify, check, and maintain control of key construction processes and materials. The sampling, testing and reporting of all materials used will be in compliance with the MDT

Specifications and Materials Manual.

O. Materials Accepted By Field Sampling and Testing (Group 1)

MDT maintains the right to inspect construction activities and request any documentation from the Firm to ensure quality products and services are being provided in accordance with this RFP, DCCP, the Firm's Technical Proposal and the Standard Specifications.

- All materials used on the project must be accepted by MDT and meet the requirements of the RFP, DCCP, the Firm's Technical Proposal and the Standard Specifications.
- **Not later than 20 calendar days prior to start of construction, the Firm will prepare and submit a preliminary project-specific list of material items and quantities to be used on the project in the same format as the enclosed MT-601. Those items in MT-601 that are not to be used on the project will not be included in the Firm's list and conversely, items that are not in the MT-601 and are intended for use on the project will be added to the Firm's list.** The list will be maintained throughout the project and will be kept up-to-date to reflect quantity changes in all materials previously placed and any additional materials proposed to be placed. The Firm will provide the updated list to the MDT EPM on a monthly basis. The list will specify each material placed by material name and related information, total quantity placed throughout the project duration, quantity placed since the previous submittal and any additional materials identified to be placed with related quantities and testing details. The final quantities listed will facilitate verification that minimum materials acceptance testing requirements in accordance with MT-601 have been performed. No work on activities that require testing can commence until the most updated quantity list has been reviewed and accepted by MDT.
- Testing of materials accepted by Field Sampling and Testing will be performed immediately following completion of material placement.
- The Firm's testing personnel must have the appropriate WAQTC or ACI Certifications.
- The Firm's testing personnel will report QC test results to MDT's EPM upon completion of the testing.

P. Fabricated Structural Steel/Miscellaneous Metal Structures (Group 2)

1. Definition:
 - The fabricated structural steel and miscellaneous metal structures include major steel structures such as steel bridge components, overhead cantilevered sign supports and sign bridges.
 - During the design development, the Firm may add any other structures to the list of Group 2 materials.
2. Acceptance: MDT accepts these structures based on the fabricator's QC inspection, testing, and certification and MDT's IA verification.
3. Process:
 - The Firm will notify MDT (Materials and Bridge Bureau's) regarding the types and locations of structural steel and other metal structures that are planned to be on the project. Notification will occur within 60 calendar days after contract award.
 - The Firm will submit a complete list of all identified structures, location of the metal fabrication, and the anticipated fabrication schedule to MDT. The

fabrication schedule will include information regarding the anticipated total duration of the fabrication units, the number of days per week the fabrication facility will be fabricating and the number of work shifts the fabricator intends to work.

- The Firm will perform the required quality control inspection and testing and coordinate the QA and IA with MDT. Any nonconformance or conflicts between the QC, QA and IA will be resolved so that the fabrication work results in full compliance with MDT requirements.
- MDT will report the QA results of the inspections and submit the final Certification letter to the MDT EPM for transmittal to the Firm.
- The MDT EPM will acknowledge receipt of the final Certification letter as a part of the certification statement in the “Project Manager’s Materials Certification Letter” to the Materials Bureau.

Q. Manufactured and Incidental Materials (Group 3)

1. Definition:
 - These materials are manufactured products not listed in MT-601.
 - Any product/material that requires only approval and installation on the project.
2. Acceptance:
 - These materials will be accepted based on Manufacturer/Supplier’s certification. The certification will meet the requirements of MT-601.
 - In addition to Manufacturer’s certification, the Firm will provide certification warranting the placed products. The Firm will provide one certificate covering all incidental materials used within the project limits at the time of project final certification.
3. Process:
 - The Firm will submit individual certifications as the materials arrive on the project site.
 - MDT personnel will, upon receipt of the certification, (1) verify the minimum requirements for test results, and (2) verify that the batch number/s listed are acceptable.
 - At the end of the project, the Firm will account for all the Certifications and provide them to the MDT EPM.
 - The MDT EPM will certify that all Certifications were received and the materials were found in compliance with the Specifications. This will be included as a certification statement in the “Project Managers Material Certification Letter” to the Materials Bureau.

R. New/Unapproved Materials (Group 4)

1. Definition:
 - These are the materials that are not specified in MDT’s references.
 - Also includes innovative use of approved materials.
2. Acceptance:
 - The Firm will obtain Materials Bureau authorization for the use and acceptance

- criteria of such materials prior to use.
 - The Firm will propose acceptance criteria as the design is being developed, based on the material Groups described herein.
 - The Materials Bureau will assist the Firm in developing acceptable criteria for such materials when necessary.
3. Process:
- The Firm, during design developmental reviews, will define and obtain approval from the Materials Bureau, in which of the previously defined Groups the material is classified.
 - The process for the appropriate Group will be followed.

S. Project Manager

MDT and the Firm will designate a Project Manager who will be the representative of each respective organization for the project.

T. Schedule of Values

The Firm will be responsible for invoicing MDT based on MDT's current design-build invoicing policy and procedure. Invoicing will be based on the completion or percent completion of major, well-defined tasks as listed in the Schedule of Values and the project schedule. MDT will provide a sample invoice format to the successful Firm. MDT will make final payment after acceptance of the project. The Schedule of Values form is included as an attachment to this RFP. **The successful Firm must submit a completed Schedule of Values to MDT for approval within 14 calendar days after Contract award.** No invoices will be submitted or paid prior to MDT approval of the Schedule of Values.

A draft invoice for payment is due to the EPM by the 25th of each month. Upon receipt of a draft invoice, MDT's EPM will coordinate with the Firm's Project Manager and make the decision whether or not work of sufficient quality and quantity has been accomplished by comparing the reported percent complete against actual work accomplished. The Firm will include, with each monthly invoice, a brief justification for all items requested in the invoice for payment. After concurrence, MDT's EPM will approve and process the invoice for payment.

U. Daily Report of Activity

The Firm will be responsible for completing a Daily Report of Activity (DRA) and providing copies to the MDT EPM on a weekly basis. The DRA will be completed each day for all design and construction activities conducted. The DRA will be used to record the work completed for that day for use in preparing the monthly payment estimate, documenting pay quantities and percentage of lump sum items completed to date. The DRA will include a breakdown of lump sum items to indicate what portion(s) of a lump sum item work is conducted whether the work is design or construction.

V. Computer Automation

The project will be developed utilizing computer automation systems in order to facilitate development of the contract plans. Various software and operating systems were developed to aid

in assuring quality and conformance with MDT policies and procedures. Seed Files, Cell Libraries, User Commands and related programs developed for roadway design and drafting are available in Microstation format. It is the responsibility of the Firm to obtain and utilize current MDT releases of all CADD applications.

The Firm's role and responsibilities are defined in the MDT CADD Standards. The Firm will be required to submit final documents and files that include complete CADD design and coordinate geometry files in Microstation and Geopak format, as described in the MDT CADD Standards.

W. Construction Engineering and Inspection

MDT is responsible for providing Construction Engineering and Inspection services with in-house staff and will perform oversight duties including: project management, report review, plan review, contract administration, and contract payment. MDT is responsible for providing Quality Assurance (QA) and Independent Assurance (IA) as detailed in the attached MT-601. MDT and FHWA have the right to review records and conduct verification tests to ensure quality products and services are provided.

The Firm will provide Quality Control for all design and construction activities under the direction of the Quality Control Engineer. The Firm is subject to MDT's QA and IA procedures.

X. Design Issue Escalation

MDT has established the issue escalation process for design questions and conflict resolution the Firm will follow. All issues are to be directed to the EPM. If the issue cannot be resolved at this level, the EPM will forward the issue to the next level in the process. The escalation process begins with the EPM, followed by the District Construction Engineer (DCE), followed by the MDT Construction Engineer and finally, to the MDT Chief Engineer. Each level will have a maximum of 3 working days to answer, resolve or address the issue. This 3-day window is a response time and does not infer resolution. Questions may be expressed verbally and followed up in writing. The EPM will respond in a timely manner but not to exceed 3 working days. The Firm will provide any available supporting documentation. The Firm will provide a similar issue escalation process for its organization in the Technical Proposal with personnel of similar levels of responsibility.

The MDT Chief Engineer will have the final authority on design decisions.

Y. Construction Clarification, Conflict Resolution and Issue Escalation

MDT has established the issue escalation process for construction questions and conflict resolution the Firm will follow. All issues are to be directed to the EPM. If the issue cannot be resolved at this level, the EPM will forward the issue to the next level in the process. The escalation process begins with the EPM, followed by the DCE, followed by the Construction Engineer and finally, to the Chief Engineer. Each level will have a maximum of 3 working days to answer, resolve or address the issue. This 3-day window is a response time and does not infer resolution. Questions may be expressed verbally and followed up in writing. The MDT EPM will respond in a timely manner but not to exceed 3 working days. The Firm will provide any available supporting documentation. The Firm will provide a similar chain of command for its organization in the Technical Proposal with personnel of similar levels of responsibility.

In the event construction problems occur, the resolution of those problems will be processed in one of the following ways:

- If the resolution does not alter the original intent of the RFP and Technical Proposal, then the Firm's Engineer of Record (EOR) will be responsible for developing the design solution to the construction problem and the MDT EPM will be responsible for review and response within 14 calendar days. The MDT EPM will either concur with the proposed solution or, if the EPM has concerns, the issue will be escalated as described in the process above.
- If the resolution does alter the original intent of the RFP and Technical Proposal, then the EOR will develop the proposed solution, copy the MDT EPM and send it to the District Construction Engineer (DCE) for review and response through the MDT EPM. The DCE will respond to the proposed solution within 14 calendar days. The DCE will either concur with the proposed solution or, if the DCE has concerns, the issue will be escalated as described in the process above. Changes to the original intent of the RFP and Technical Proposal will require a contract change order and FHWA approval.

The MDT Chief Engineer will have the final authority on construction decisions.

If the issue escalation process above does not satisfactorily resolve a dispute, utilize Specifications Subsection 105.16.

VI. DESIGN AND CONSTRUCTION CRITERIA PACKAGE (DCCP)

A. General

The Firm will be responsible for detailed plan checking that includes a plans checklist for each completed phase submittal. Rockfall Mitigation submittals may be separated into separate component plans for each location. In addition, separate components may be submitted for traffic control, construction staging and minor items of work. The component design must be in conformity with the RFP and DCCP requirements and preliminary plans provided in the Firm's Technical Proposal.

Before construction activities can begin for a specific component, signed and sealed design plans and calculations supporting the design for that component must be reviewed and determined by MDT to conform to the RFP, DCCP, Technical Proposal and the Specifications. Component submittals will be complete submittals along with all the supporting information and calculations necessary for review. The work proposed in the component plans must represent logical work activities and show impacts on subsequent work activities on the project. Any modification to the component construction due to subsequent design changes as the result of design development is solely at the Firm's risk. After review by MDT, the plans will be stamped "Released for Construction" and initialed and dated by the EPM.

B. Rockfall Mitigation Plans

General

The Firm will prepare the Rockfall Mitigation Plans Package. This work effort includes the rockfall mitigation design and drainage analysis needed to prepare a complete set of Rockfall Mitigation Plans, Construction Staging Plans, Traffic Control Plans, and other documents necessary for project completion. All plans are to be prepared in accordance with the MDT design standards and practices, MUTCD, Standard Specifications, Road Design Manual, Geotechnical Manual and Traffic Engineering Manual in effect on the RFP issue date.

Design Criteria

Plans Package:

The Firm will develop and submit a signed and sealed preliminary plans package.

This package will include the following:

- Transmittal Letter
- Location Map
- Site Plans

Rockfall Mitigation Plan Sheets

The following is a list of anticipated plan sheets required to complete the rockfall mitigation components of the project:

- Title Sheet
- Table of Contents
- Notes, Linear and Level Data
- Control Diagram and Centerline Coordinate Data
- Right of Way Coordinate Data
- Summary Sheets
- Details
- Photo Plan Sheets

C. Design Documentation, Computations and Quantities

The Firm will submit to MDT the design notes and computations to document the design conclusions reached during the design and development of the construction plans.

The design notes and computation sheets will be fully titled, numbered, dated, indexed and signed by the designer and the checker. Computer output forms and other oversized sheets will be folded to a standard size 8½" x 11". The data will be in a hard-back folder for submittal to MDT.

At project completion, a final set of design notes and computations for all components of the project, signed by the Firm EOR, will be submitted with the record set (as-built) of plans.

The design notes and calculations will include, but not be limited to the following data:

- Design standards used for the project.
- Documentation of decisions reached resulting from site visits, meetings or telephone conversations.
- Final quantities list.

D. Specifications

As part of the Technical Proposal, the Firm will use the current MDT Standard Specifications and other relevant Manuals and Guidelines in effect at the RFP issue date. The Firm will provide a list of anticipated applicable Specifications, Supplemental Specifications, Standard Special Provisions and any other specifications that will apply to the work in the proposal. MDT Specifications may not be modified or revised, but reference to the contractor will mean the Firm. The Firm will also include in the Technical Proposal any project-specific Technical Special Provisions that will apply to the work. Technical Special Provisions may be written only for items not addressed by MDT Standard Specifications and may not be used as a means of changing MDT Standard Specifications.

E. Shop Drawings

General

The Firm will be responsible for the preparation and approval of all Shop Drawings. Shop Drawings will be submitted to MDT and will bear the stamp and signature of the EOR. For shop drawings prepared by others, the EOR must review and approve (by signing and dating) the shop drawings before submitting them to MDT. MDT will review the Shop Drawings to evaluate compliance with project requirements and provide any findings to the EPM for transmittal to the Firm. MDT's procedural reviews of shop drawings is to assure the Firm and the EOR have both accepted and signed the drawings, the drawings have been independently reviewed and are in general conformance with the plans. MDT's review is not meant to be a complete and detailed review. After MDT's review of the shop drawings, they will be initialed and dated by the reviewer and stamped "Released for Construction" by the MDT EPM.

Project Component Shop Drawing submittals must be accompanied by sufficient information for adjoining project components or areas of work to allow for proper evaluation of the project component submitted for review.

Definitions

- Shop Drawings - All working, shop and erection drawings, associated trade literature, calculations, schedules, manuals and similar documents submitted by the Firm to define some portion of the project work. The type of work includes both permanent and temporary works as appropriate to the project.
- Permanent Works - All the permanent structures and parts thereof required for the completed project.
- Temporary Works - Any temporary construction work necessary for construction of the permanent works. This includes falsework, formwork, scaffolding, shoring, temporary earthworks, sheeting, cofferdams and special erection equipment.
- Construction Affecting Public Safety - Construction that may jeopardize public safety such as structures spanning functioning roadways, pedestrian walkways, railroads, navigable waterways and walls or other structure foundations located in embankments immediately adjacent to functioning roadways. It does not apply to those areas of the site under the Firm's control and outside the limits of normal public access.
- Falsework (shoring) - Any temporary construction work used to support the permanent structure until it becomes self-supporting. Falsework includes steel or timber beams, girders, columns, piles and foundations and any proprietary equipment including modular

shoring frames, post shores and adjustable horizontal shoring. Formwork includes any structure or mold used to retain plastic or fluid concrete in its designated shape until it hardens. Formwork comprises common materials such as wood or metal sheets, battens, soldiers and walers, ties, proprietary forming systems such as stay-in-place metal forms and proprietary supporting bolts, hangers and brackets. Scaffolding is an elevated work platform used to support workmen, materials and equipment, but not intended to support the structure.

- Specialty Engineer versus EOR - For the purpose of the shop drawing review process, as set forth in this RFP, the term “Specialty Engineer” will apply to the initiator or producer of shop drawings, regardless of whether or not that party is normally the EOR or the Specialty Engineer. The term “Engineer of Record” will apply to the shop drawing checker and certifier, regardless of whether or not that party is normally the EOR or the Specialty Engineer.

Work Items Requiring Shop Drawings

MDT requires shop drawings for items of work not fully detailed in the plans and that require additional drawings and coordination prior to constructing the item, including but not limited to:

- Retaining wall systems.
- Drainage structures, attenuators and other nonstructural items.
- Design and structural details furnished by the Firm in compliance with the Contract.
- Temporary Works affecting public safety.

Schedule of Submittals

The Firm will prepare and submit a schedule of submittals that identifies the work for which shop drawings apply. For each planned submittal, define the type and approximate number of drawings or other documents that are included and the planned submittal date, considering the processing requirements herein. **Submit the schedule of submittals to MDT at least 30 calendar days prior to start of construction and prior to the submission of any shop drawings.** Coordinate subsequent submittals with construction schedules to allow sufficient time for review and re-submittal as necessary.

Style, Numbering and Material of Submittals

Drawings - Furnish two clearly legible photocopies of all shop drawings in compliance with the design shown on the plans. Prepare all shop drawings using the same units of measure as those used in the plans. Use sheets no larger than 24 by 36 inches. Consecutively number each sheet in the submittal series and indicate the total number in the series. Include on each sheet the following items as a minimum requirement: the complete Project Identification Number, drawing title and number, a title block showing the names of the fabricator or producer and the Firm for which the work is being done, initials of the person(s) responsible for the drawing, date on which the drawing was prepared, location of the item(s) within the project, Firm’s approval stamp with date and initials, and when applicable, the signature and seal of the Specialty Engineer and approval stamp of the EOR. A re-submittal will be required when any of the required information is not included.

Other Documents - Provide four sets of original documents or clearly legible photocopies of documents other than drawings, such as trade literature, catalogue information, calculations, and

manuals. Provide sheets no larger than 11 by 17 inches. Clearly label and number each sheet in the submittal to indicate the total number of sheets in the series. Provide an additional three sets of documentation for items involved with pre-cast, pre-stressed components. Provide an additional two sets of documentation for items involving structural steel components. Prepare all documents using the same units of measure as those used in the plans. Bind and submit all documents with a Table of Contents cover sheet. List on the cover sheet the total number of pages and appendices, and include the complete Project Identification Number, a title referencing the submittal item(s), the name of the firm and person(s) responsible for the preparation of the document, the Firm's approval stamp with date and initials, and, when applicable, the signature and seal of the Specialty Engineer and the approval stamp of the EOR. Submit appropriately prepared and checked calculations and manuals that clearly outline the design criteria. Include on the internal sheets the complete Project Identification Number and the initials of the person(s) responsible for preparing and checking the document. Clearly label trade literature and catalogue information on the front cover with the title, Project Identification Number, date and name of the firm and person(s) responsible for that document.

Submittal Paths and Copies

Shop drawings are not required for pre-qualified items. For non-pre-qualified items, determine the submittal path to be followed based on the identity of the EOR as shown adjacent to the title block on the plan sheets. At the pre-construction conference, MDT will notify the Firm of any changes to the standard submittal process. MDT's review stamp will signify an officially reviewed shop drawing and will state "Released for Construction". Submit shop drawings to the appropriate MDT Bureau and send a copy of the letter of transmittal to the MDT EPM. For work requiring other information such as catalog data, procedure manuals, fabrication/welding procedures and maintenance and operating procedures, submit the required number of copies to the MDT EPM. Provide copies of material certifications and material tests to the MDT EPM.

Temporary Works

For Construction Affecting Public Safety, submit shop drawings to the EOR and include the applicable calculations for the design of special erection equipment, falsework, shoring and scaffolding. Ensure each sheet of the shop drawings and the cover sheet of the applicable calculations is signed and sealed by the Specialty Engineer. Transmit the submittal and copies of the transmittal letters in accordance with the process outlined in other sections of this RFP, as appropriate.

Formwork, Shoring and Scaffolding

The Firm is solely responsible for the safe installation and use of all formwork, shoring and scaffolding. MDT does not require any formwork, shoring or scaffolding submittals unless such work would be classified as Construction Affecting Public Safety or is otherwise required by law.

Other Miscellaneous Design and Structural Details Furnished by the Firm in Compliance with the Contract

Submit shop drawings and applicable calculations to the EOR. Ensure each sheet of the shop drawings and the cover sheet of the applicable calculations is signed and sealed by the Specialty Engineer. Transmit the submittal and copies of the transmittal letters in accordance with the

process outlined in other sections of this RFP, as appropriate.

Processing of Shop Drawings

Firm Responsibility for Accuracy and Coordination of Shop Drawings - The Firm will coordinate, schedule and control all submittals with a regard for the required priority, including those of the various subcontractors, suppliers, and engineers, to provide for an orderly and balanced distribution of the work. Coordinate, review, date, stamp, approve and sign all shop drawings prepared by the Firm or agents (subcontractor, fabricator, supplier) prior to submitting them to MDT. Submittal of the drawings confirms verification of the work requirements, units of measurement, field measurements, construction criteria, sequence of assembly and erection, access and clearances, catalog numbers and other similar data. Indicate on each series of drawings the specification section and page or drawing number of the construction plans to which the submission applies. Indicate on the shop drawings all deviations from the construction plans and itemize all deviations in the letter of transmittal. When a submittal does not deviate from the construction plans, clearly state so in the transmittal letter. Schedule the submission of shop drawings to allow MDT 7 calendar days for review. The review period commences with MDT's receipt of the valid submittal or re-submittal and terminates with transmittal of the submittal back to the Firm. A valid submittal includes all the minimum requirements outlined elsewhere in this RFP. Submit shop drawings to facilitate expeditious review. The Firm is discouraged from transmitting voluminous submittals of shop drawings at the same time. For submittals transmitted in this manner, allow for the additional review time that may result. All work the Firm performs in advance of MDT's release of shop drawings will be at the Firm's risk.

Scope of Review by the Engineer of Record - The EOR review of the shop drawings is for conformity to the requirements of the RFP, DCCP and Specifications and to the intent of the design, at a minimum. The EOR review of shop drawings that include means, methods, techniques, sequences and construction procedures is to determine if effects on the permanent works are acceptable.

Special Review by the Engineer of Record of Shop Drawings for Construction Affecting Public Safety - For Construction Affecting Public Safety, the EOR will make an independent design review of all relevant shop drawings and similar documents. Do not proceed with construction of permanent works until receiving the EOR approval. Send a copy of the approval letter to the MDT EPM. The review of these shop drawings is for overall structural adequacy of the item to support the imposed loads.

F. Traffic Control Plan

The Firm will design a safe and effective Traffic Control Plan (TCP) to move vehicular traffic during all phases of construction. The TCP will address methods to assist with maintenance of traffic throughout the duration of the project. All aspects of the TCP will be prepared in accordance with the MDT Traffic Engineering Manual, MDT Work Zone Safety and Mobility and the MUTCD. Develop the project's design and construction in accordance with MDT's Work Zone Safety and Mobility Policy.

The TCP prepared by the Firm will include the following sheet(s): typical section, general notes and construction sequence, typical details and traffic control plans.

G. Surveying

The Firm will perform all survey services, including design surveying and construction staking necessary to complete the project. Surveying services must be accomplished in accordance with MDT's Surveying Manual and comply with all pertinent Montana Statutes and applicable rules of the Montana Board of Professional Engineers and Professional Land Surveyors. All field survey data will be furnished in a digital format, readily available for input and use in CADD design files. The following preliminary surveying and mapping data for the project has been obtained by MDT and is provided as an attachment to this RFP:

- GPS Control Survey Data and Report
- Cadastral Survey Data
- Engineering Survey Data (Mapping)
- ROW Plans

The Firm will be responsible to re-establish any Public Land Survey System corners or references disturbed by construction activities in accordance with Montana statutes.

H. Utilities

The Firm will be responsible for coordinating any required utility relocations or adjustments necessary for completion of the contract work, for work necessary to accommodate all utilities within the limits of construction during construction and for satisfactory completion of the adjustment and relocation work. The Firm will be responsible for any utility caused delays. The Firm will be responsible for utility relocation costs as provided by Montana law.

The Firm will provide copies of preliminary utility relocation plans for each utility to MDT for review and approval prior to starting utility relocation work. After all utility relocation work is completed; the Firm will provide MDT copies of as-built utility relocation plans and permit applications for each utility. MDT will process and issue Utility Permits.

I. State Furnished Materials

Dismantle and transport the on-site OXO 75 foot-ton mobile rock barrier to the MDT Lincoln Road Maintenance Pit in Helena, MT at the intersection of Montana Ave. and Lincoln Road when it is no longer necessary. Contact the MDT Geotechnical Section at (406)444-6281 a minimum of one week prior to delivery to Helena.

Salvage the following materials to MDT after removal:

- Concrete Barrier Rail
- Rockfall Barrier (guardrail)
- W-Beam Guardrail

Deliver and neatly stack all salvaged material in the Maintenance Section in Deborgia, MT. Contact Bill Sansom at (406)649-2768 or Jack May at (406)523-5803 a minimum of one week in advance of removal to coordinate delivery.

All other materials are the Firm's property after removal.

VII. TECHNICAL PROPOSAL REQUIREMENTS

A. General

Each short listed Firm being considered for this project is required to submit a Technical Proposal. The Technical Proposal will include sufficient information to enable MDT to evaluate the capability of the Firm to provide the desired services. The data will be significant to the project and will be innovative, when appropriate, and practical. Discussions of past performance on other projects will be minimized, except as they relate to the proposed work.

Deliver ten copies of the Technical Proposal in a sealed package(s) to the following by the date and time specified:

**Montana Department of Transportation
Contract Plans Bureau, Room 101
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001**

The package(s) will indicate it is the Technical Proposal and will clearly identify the Firm's name and the project description.

B. Technical Proposal Submittal Requirements

Submit 10 copies of the Technical Proposal, each bound in a 3-ring binder with tabs labeled Section I through Section IV with the information, paper size and page limitation requirements as listed below. A copy of the "Written Technical Proposal" must also be submitted in electronic format on a CD. The written text will be in Microsoft Word with minimum font size of ten. In addition to the ten hard copies, provide the entire proposal, including cover, dividers, text, graphics, plan sheets, tables and photographs in electronic .pdf format on a CD labeled with the Firm's name, date and project name.

SECTION I (Evaluation Criterion #1) - Quality Management Plan

Credit will be given for a timely, complete and comprehensive quality management plan that includes all phases of the project and incorporates effective QC/QA for design and construction. Information to be included in the QMP will be in accordance with Section V (N) in this RFP.

- Paper size: 8½" x 11", additional larger charts and graphs may be provided if folded neatly to 8½" x 11".
- Maximum allowed pages: 25

The minimum information to be included:

- A Summary of the Quality Management Plan for Design and Construction.

SECTION II (Evaluation Criterion #2) - Schedule

Credit will be given for a comprehensive and logical schedule that minimizes contract duration while adhering to applicable Specifications. Provide a written narrative to accompany the project schedule. The schedule should identify the critical path items of

work, including design tasks, to meet the overall project schedule completion date. The written narrative and project schedule should provide a close correlation between design activities and construction activities.

NOTE: *Proposals that include Contract Time exceeding 90 days will be considered non-responsive.*

- Paper size: 8½" x 11" or larger if folded neatly to 8½" x 11"
- Maximum allowed pages: 10

The minimum information to be included in the project schedule of anticipated major milestones and their associated phasing are as follows:

- Summary of the Project Schedule
- Anticipated Award Date
- Notice to Proceed Date
- Design Survey
- Design Submittals for Rockfall Mitigation
- Design Reviews by MDT
- Design Review and Acceptance Milestones
- Materials Quality Tracking
- Geotechnical Investigation and Report
- Traffic Control Plan and Setup Schedule
- Construction Mobilization
- Clearing and Grubbing
- Erosion Control
- Rockfall Mitigation Construction
- Completion of All Work
- Additional Construction Milestones and Phasing as Determined by the Firm

SECTION III (Evaluation Criterion #3) – Staffing Plan, Allocation of Resources and Coordination of Project Activities

The Firm will submit a staffing plan that clearly illustrates the key elements of the organizational structure proposed to accomplish the management, technical design, quality control, environmental coordination and compliance, construction and administrative services required. Project management and key personnel within each area of required services will be identified and past experience of each, as it relates to this project, will be discussed. Approval from MDT is required prior to any changes to the Project Management and Key Personnel.

Credit will be given for the project-designated allocation (distribution and quantity) of design and construction resources. Credit will also be given for proposed plans to coordinate project activities for design, plan preparation, and obtaining approval of project component plans and specifications concurrently with construction activities of other project components that will minimize design changes and impacts to completed construction work.

Firms being considered for this project may have more than one office location. The office assigned responsibility for the work will be identified in the Technical Proposal. If different elements of the work will be performed at different locations, those locations

will be listed.

During the performance of the services, coordination must be maintained with MDT and other agencies. A proposed method for assuring proper coordination will be addressed in the Technical Proposal.

- Paper size: 8½” x 11”, additional larger charts and graphs may be provided if folded neatly to 8½” x 11”.
- Maximum allowed pages: 30

The minimum information to be included:

- A detailed Staffing Plan and Organization chart showing relationships between management and key personnel for the various areas of services.
- Resumes of Key Project Personnel. Each resume is limited to one (1) page per person. The minimum information to be included in the resumes is experience directly relevant to this type of project.
- Proposed Coordination Plan.
- Labor-loading requirements (both quality and quantity) for all technical design, quality control and construction services.
- Labor-loading capabilities of all the design-build team firms.
- Labor-loading availability for the project.
- Identify and explain the role of each office location performing work on the project.

SECTION IV (Evaluation Criterion #4) - Project Understanding and Approach

The Firm will present a comprehensive plan for completing the specified work. The plan should address all significant design and construction issues and constraints and should demonstrate efficient use of manpower, materials, equipment, construction methods and techniques for completing the project. Include discussions of the effectiveness of the Firms design in relation to public safety and future maintenance. Credit will be given for innovation in design and construction methods that minimize public impacts, minimize traffic delays, reduce the risk of future travel impacts from slope failure, decrease future maintenance, mitigate the risk of quantity overruns and accelerate project delivery by reducing the total project duration.

The Firm will identify separately all innovative aspects as such in the Technical Proposal and each must be explained in detail. An innovative aspect does not include changes to specifications or established MDT policies and must conform to the RFP and DCCP requirements. Innovation should be limited to the Firm’s means and methods, approach to the project, rockfall mitigation techniques, use of new products and new uses for established products.

Proposed changes to the RFP, DCCP, Design Concept, specifications or established MDT policies should be identified as **Alternatives or Options** in the Technical Proposal and explained in detail. The estimated cost increase or cost decrease associated with any Alternative or Option that proposes changes to the RFP, DCCP, specifications or established MDT policies must not be included in the base Bid Price Proposal Amount.

- Paper size: 8½” x 11”, additional larger charts and graphs may be provided if folded neatly to 8½” x 11”.
- Maximum allowed pages: 65

The minimum information to be included:

- Project Understanding and Approach.
- Rockfall Mitigation techniques for the sites.
- Effectiveness of the Firms design in relation to public safety and future maintenance.
- Preliminary Plans, Quantities and Design Support Documents.
- List of applicable Standard Specifications and Standard Special Provisions and written outline of any anticipated project-specific Technical Special Provisions.

The minimum information to be included in the Preliminary Plans and Design Support Documents is as follows:

Rockfall Mitigation

- Project Limits
- Extent of mitigation at each site
- Major topographic features
- Survey controls and bench marks
- Stationing along horizontal alignment
- Identify any drainage crossings and required modifications
- Preliminary traffic control plan
- Construction Staging Plan
- List of applicable Standard Specifications and Standard Special Provisions
- Written outline of anticipated project-specific Technical Special Provisions

C. Evaluation and Scoring Criteria

The Technical Review Committee (TRC) will evaluate the written Technical Proposal submitted by each Firm. The Firm will not discuss or reveal elements of the Bid Price Proposal in the Technical Proposal. MDT has developed selection procedures in order to provide a balanced assessment of the experience and qualifications of the Firm, the proposed project approach and understanding, the project completion time and the project cost.

Proposals will be submitted in two separate sealed covers, one containing the Technical Proposal and one containing the Bid Price Proposal. All Technical Proposals will be evaluated and scored by the TRC prior to the public opening of the Bid Price Proposals. This score will be based on the criteria listed in the Scoring Guide included in this RFP. The Firms may be requested to attend a meeting with the TRC to answer any questions members may have with respect to the Technical Proposal before the Technical Proposal is evaluated and scored. All Technical Proposals will be scored and submitted to the Contract Plans Bureau before any Bid Price Proposals are opened.

Each voting member of the TRC will review and evaluate the Technical Proposals received. Individual TRC members will provide a ranking for each criterion based on a 0 to 10 scale, with 10 being best. The Technical Proposals will be evaluated based on the following Scoring Guide and Technical Proposal Evaluation Criteria Scoring Table.

SCORING GUIDE

Superior Response (9.0-10.0): A superior response will be a highly comprehensive, excellent reply that meets all of the requirements of the areas within the specific criteria. In addition, the response covers areas not originally addressed in the RFP and DCCP evaluation criteria and includes additional information and recommendations that would prove both valuable and beneficial to MDT. This response is considered to be an excellent standard, demonstrating the Firm's authoritative knowledge and understanding of the project.

Good Response (7.5-8.9): A good response will provide useful information, while showing experience and knowledge within the evaluation criteria. The response is well thought out and addresses all requirements set forth in the RFP and DCCP. The Firm provides insight into their expertise, knowledge and understanding of the subject matter outlined in the criteria.

Fair Response (6.0-7.4): A fair response meets all the requirements of the RFP and DCCP and has demonstrated in a clear and concise manner a thorough knowledge and understanding of the subject matter outlined in the criteria. This response demonstrates an above average performance with no apparent deficiencies noted.

Poor Response (4.0-5.9): A poor response minimally meets the requirements of the RFP and DCCP. The Firm has demonstrated a below average knowledge of the subject matter as outlined in the criteria.

Inadequate Response (0.0-3.9): An inadequate response does not meet the requirements of the RFP and DCCP. The Firm has not demonstrated knowledge of the subject matter outlined in the RFP and DCCP, fails to address one or more requirements of the RFP and DCCP, or has proposed a deviation from the RFP and DCCP requirements and the response is considered inadequate.

D. TECHNICAL PROPOSAL EVALUATION CRITERIA SCORING TABLE

EVALUATION CRITERIA NO.	DESCRIPTION	SCORING WEIGHT	SCORE	TOTAL SCORE
1	<p><u>EVALUATION CRITERION #1:</u> Credit will be given for a timely, complete and comprehensive quality management plan that includes all phases of the project and incorporates effective QC/QA for design and construction. Information to be included in the QMP will be in accordance with Section V (N) in this RFP.</p> <p>The minimum information to be included:</p> <ul style="list-style-type: none"> • A Summary of the Quality Management Plan for Design and Construction. 	100		
2	<p><u>EVALUATION CRITERION #2:</u> Credit will be given for a comprehensive and logical schedule that minimizes contract duration while adhering to applicable Specifications. Provide a written narrative to accompany the project schedule. The schedule should identify the critical path items of work, including design tasks, to meet the overall project schedule completion date. The written narrative and project schedule should provide a close correlation between design activities and construction activities.</p> <p><u>NOTE:</u> <i>Proposals that include Contract Time exceeding 90 days will be considered non-responsive.</i></p> <p>The minimum information to be included in the project schedule of anticipated major milestones and their associated phasing are as follows:</p> <ul style="list-style-type: none"> • Summary of the Project Schedule • Anticipated Award Date • Notice to Proceed Date • Design Survey • Design Submittals for Rockfall Mitigation • Design Reviews by MDT • Design Review and Acceptance Milestones • Materials Quality Tracking • Geotechnical Investigation and Report • Traffic Control Plan and Setup Schedule • Construction Mobilization • Clearing and Grubbing • Erosion Control • Rockfall Mitigation Construction • Completion of All Work • Additional Construction Milestones and Phasing as Determined by the Firm 	200		

3	<p><u>EVALUATION CRITERION #3:</u> The Firm will submit a staffing plan that clearly illustrates the key elements of the organizational structure proposed to accomplish the management, technical design, quality control, environmental coordination and compliance, construction and administrative services required. Project management and key personnel within each area of required services will be identified and past experience of each, as it relates to this project, will be discussed. Approval from MDT is required prior to any changes to the Project Management and Key Personnel.</p> <p>Credit will be given for the project-designated allocation (distribution and quantity) of design and construction resources. Credit will also be given for proposed plans to coordinate project activities for design, plan preparation, and obtaining approval of project component plans and specifications concurrently with construction activities of other project components that will minimize design changes and impacts to completed construction work.</p> <p>Firms being considered for this project may have more than one office location. The office assigned responsibility for the work will be identified in the Technical Proposal. If different elements of the work will be performed at different locations, those locations will be listed.</p> <p>During the performance of the services, coordination must be maintained with MDT and other agencies. A proposed method for assuring proper coordination will be addressed in the Technical Proposal.</p> <p>The minimum information to be included:</p> <ul style="list-style-type: none"> • A detailed Staffing Plan and Organization chart showing relationships between management and key personnel for the various areas of services. • Resumes of Key Project Personnel. Each resume is limited to one (1) page per person. The minimum information to be included in the resumes is experience directly relevant to this type of project. • Proposed Coordination Plan. • Labor-loading requirements (both quality and quantity) for all technical design, quality control and construction services. • Labor-loading capabilities of all the design-build team firms. • Labor-loading availability for the project. • Identify and explain the role of each office location performing work on the project 	200		
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4	<p><u>EVALUATION CRITERION #4:</u> The Firm will present a comprehensive plan for completing the specified work. The plan should address all significant design and construction issues and constraints and should demonstrate efficient use of manpower, materials, equipment, construction methods and techniques for completing the project. Include discussions of the effectiveness of the Firms design in relation to public safety and future maintenance. Credit will be given for <u>innovation</u> in design and construction methods that minimize public impacts, minimize traffic delays, reduce the risk of future travel impacts from slope failure, decrease future maintenance, mitigate the risk of quantity overruns and accelerate project delivery by reducing the total project duration.</p> <p>The Firm will identify separately all innovative aspects as such in the Technical Proposal and each must be explained in detail. An innovative aspect does not include changes to specifications or established MDT policies and must conform to the RFP and DCCP requirements. Innovation should be limited to the Firm's means and methods, approach to the project, rockfall mitigation techniques, use of new products and new uses for established products.</p> <p>Proposed changes to the RFP, DCCP, Design Concept, specifications or established MDT policies should be identified as <u>Alternatives or Options</u> in the Technical Proposal and explained in detail. The estimated cost increase or cost decrease associated with any Alternative or Option that proposes changes to the RFP, DCCP, specifications or established MDT policies must not be included in the base Bid Price Proposal Amount.</p> <p>The minimum information to be included:</p> <ul style="list-style-type: none"> • Project Understanding and Approach. • Rockfall Mitigation techniques for the sites. • Effectiveness of the Firms design in relation to public safety and future maintenance. • Preliminary Plans, Quantities and Design Support Documents. • List of applicable Standard Specifications and Standard Special Provisions and written outline of any anticipated project-specific Technical Special Provisions. <p>The minimum information to be included in the Preliminary Plans and Design Support Documents is as follows:</p> <p><u>Rockfall Mitigation</u></p> <ul style="list-style-type: none"> • Project Limits • Extent of mitigation at each site • Major topographic features 	500		
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	<ul style="list-style-type: none">• Survey controls and bench marks• Stationing along horizontal alignment• Identify any drainage crossings and required modifications• Preliminary traffic control plan• Construction Staging Plan• List of applicable Standard Specifications and Standard Special Provisions• Written outline of anticipated project-specific Technical Special Provisions			
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E. Responsive Criteria

A Technical Proposal receiving a total score from the TRC of less than 60% of the maximum total score available will be considered non-responsive and not eligible for further evaluation or payment of the stipend. MDT will consider a proposal as non-responsive if the Technical Proposal does not meet established submittal requirements and criteria. If the contract time proposed is greater than maximum allowable contract time requested by MDT, the proposal will be considered non-responsive.

The TRC will submit a final Technical Proposal total score for each Firm to the Contract Plans Bureau. Contract Plans Bureau will secure the Technical Proposal scores and provide them, along with the opened Bid Price Proposals and cost evaluation calculations used to determine the Adjusted Score to the Selection Committee.

VIII. BID PRICE PROPOSAL REQUIREMENTS

A. Bid Price Proposal

Contract Plans Bureau will notify all short-listed Firms of the date, time and location of the public opening of the sealed Bid Price Proposals.

Bid Price Proposals will be submitted on the blank Bid Price Proposal Requirements Form included as an attachment to this RFP and will include one lump sum price for the project and the completion dates proposed by the Firm. The lump sum price will include costs for all design, surveying, geotechnical work, engineering services, Quality Management Plan, construction of the project and all other work necessary to fully and timely complete the project in accordance with the Contract Documents. The lump sum price will also include all job site and home office overhead and profit. It is understood payment of the lump sum amount for the project will be full, complete and final compensation for all work required to complete the project. The Bid Price Proposal will be delivered in a separate sealed package to the following address by the date and time specified:

**Montana Department of Transportation
Contract Plans Bureau, Room 101
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001**

The package will indicate it is the Bid Price Proposal and will clearly identify the Firm's name and the project description. The Bid Price Proposal will be secured and remain unopened until the time and date specified for public opening of Bid Price Proposals. Contract Plans Bureau will publicly open the sealed Bid Price Proposals at the date, time and location specified.

B. Selection Process

The Technical Review Committee will provide the Technical Proposal Score for each Firm to the Selection Committee. The Selection Committee will review and approve the Technical Proposal Score for each Firm prior to opening the Bid Price Proposals. The Technical Proposal Score will provide 75% of the maximum score available and the Bid Price Proposal will provide 25% of the maximum score available. The following formula's will be used to calculate the Best Value. The Firm with the highest Total Points is considered the Best Value.

1. 75 points – Technical Proposal
$$\frac{\text{Firms Technical Proposal Score}}{\text{Total Points Available}} * 75 = \text{Technical Proposal Awarded Points}$$
2. 25 points – Bid Price Proposal
$$\frac{\text{Lowest Responsive Total Cost}}{\text{Firms Total Cost}} * 25 = \text{Cost Proposal Awarded Points}$$
3. Technical Proposal Awarded Points + Cost Proposal Awarded Points = Total Points

C. Bid Price Proposals Exceed Cost Estimate

If all Bid Price Proposals exceed the Engineer's Cost Estimate for the project by more than 25% and the Selection Committee does not reject all proposals, the following procedure may be followed to continue with the selection process:

1. Selection Committee will recommend postponing the award and the Construction Engineer will notify all short-listed Firms in writing of the selection process status.
2. TRC will review the Engineer's Cost Estimate and Scope of Work for the project with the goal of reducing scope by deleting specific items, modifying the specifications for specific items to less expensive items, examining the feasibility of downsizing the overall project, and correcting any errors in the original cost estimate.
3. Construction Engineer and TRC members will conduct a group meeting with all proposing Firms to review and discuss the following items:
 - Advise Firms whether their Technical Proposals were acceptable and considered responsive. Technical Proposal evaluation scores will remain confidential.
 - Advise Firms all Bid Price Proposals were substantially higher than the MDT budget and cost estimate and MDT is reviewing the scope of work, cost estimate and available funding.
 - Ask the question: If the project scope of work is revised, are all Firms still interested in continuing with the process?
 - Ask the question: Is the project duration provided adequate to complete the project

- or would a longer duration reduce the overall project costs?
 - Ask the question: Is there project related risk that was not identified in the RFP?
 - Provide each Firm a list of specific Revised Scope of Work items. Review, discuss and answer questions during the meeting.
 - Request input from each Firm regarding the time required to revise appropriate sections of their Technical Proposals, Bid Price Proposals and submit a “Best and Final” offer. TRC will evaluate and score Technical Proposals using the same original evaluation criteria and only modify those evaluation criteria scores impacted by the revised Technical Proposal.
 - “Best and Final” Bid Price Proposals will be submitted sealed and will be publicly opened after the “Best and Final” Technical Proposals are evaluated and scored by the TRC. Procedure to determine adjusted scores and Firm with the best value “Best and Final” proposal will remain the same as outlined in this RFP.
4. If the “Best and Final” offers received are within the revised scope of work and cost estimate range, the contract will be awarded to the Firm that was determined to be the best value.

D. Selection of Firm

MDT is not obligated to award the Contract and the Selection Committee may decide to reject all proposals. Unless all proposals are rejected, the Selection Committee will approve an award recommendation to the Firm with the highest Total Score that provides the Best Value to MDT. The Montana Transportation Commission will determine whether to authorize MDT to enter into a Contract with the Firm recommended by the Selection Committee for the lump sum price proposed.

The Firm contracting with MDT must provide a Project Bond of at least the bid amount. The successful Firm will maintain the Project Bond for 100% of the Contract amount in effect throughout the life of the Contract. The Surety Company providing the Project Bond must be authorized to do business in the State of Montana.

E. Stipend

The Firm awarded the Contract and the unsuccessful short-listed Firms will receive partial compensation (stipend) for the cost to prepare a proposal, if the proposal of unsuccessful Firms is determined to be responsive by the TRC, the Selection Committee and the Transportation Commission. The amount of partial compensation will be **\$20,000.00** for this project and is not intended to compensate Firms for the total cost of preparing the Technical and Bid Price Proposals. MDT reserves the right to use any of the concepts or ideas presented in Technical Proposals of unsuccessful Firms that accept the stipend. MDT will provide the successful Firm copies of the unsuccessful Firm’s Technical Proposals to review any of the innovative options and cost-savings alternatives proposed by the other Firms, provided each unsuccessful Firm requests the stipend payment.

Firms eligible for the stipend payment must submit two completed copies of the Invoice for Payment of Agreed Stipend to the MDT Design-Build Engineer for processing within 30 calendar days after Contract award. A blank copy of the invoice is included as an attachment to this RFP.